

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Wassim Abedrabbo	Team: Squad #9	CCRB Case #: 201810542	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 11/01/2018 , NA, __/__/2018	Location of Incident: § 87(2)(b)	Precinct: 18	18 Mo. SOL 7/1/2019	EO SOL 7/1/2019	
Date/Time CV Reported Tue, 12/04/2018 12:50 PM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Tue, 12/04/2018 12:50 PM		
<b>Complainant/Victim</b>	<b>Type</b>	<b>Home Address</b>			
<b>Witness(es)</b>	<b>Home Address</b>				
<b>Subject Officer(s)</b>	<b>Shield</b>	<b>TaxID</b>	<b>Command</b>		
1. POM Christophe Mallette	27281	957800	MTN PCT		
<b>Witness Officer(s)</b>	<b>Shield No</b>	<b>Tax No</b>	<b>Cmd Name</b>		
1. POM Lawrence Russo	27603	958032	MTN PCT		
<b>Officer(s)</b>	<b>Allegation</b>			<b>Investigator Recommendation</b>	
A.POM Christophe Mallette	Discourtesy: Police Officer Christopher Mallette spoke discourteously to § 87(2)(b)				

### Case Summary

On December 4, 2018, § 87(2)(b) filed this complaint in-person with the CCRB.

On an unknown date, at an unknown time, § 87(2)(b) was setting up a food cart at the § 87(2)(b) § 87(2)(b) in Manhattan, when Police Officer Christopher Mallette and Police Officer Lawrence Russo, both of Manhattan North, approached and PO Mallette allegedly told him that he did not want to see his “fucking car” there (**Allegation A: Discourtesy – Word**, § 87(2)(g) § 87(2)(g)).

§ 87(2)(b) stated that multiple summonses were issued to his vehicle at the conclusion of this incident. No video footage was obtained in relation to this complaint.

### Findings and Recommendations

#### **Allegation (A) Discourtesy: Police Officer Christopher Mallette spoke discourteously to**

§ 87(2)(b) It is undisputed that between October and early December of 2018, § 87(2)(b) has had multiple interactions with PO Mallette and PO Russo; all of which occurred while § 87(2)(b) § 87(2)(b) (b) § 87(2)(b) alleged that this incident occurred on November 23, 2018 (**Board Review 02**). § 87(2)(b) stated that after unhitching a food cart from the back of his vehicle, he saw PO Mallette and PO Russo at the vehicle, as PO Mallette was issuing it a summons. § 87(2)(b) § 87(2)(b) s wife, § 87(2)(b) was also on scene and approached PO Mallette to tell him that she was just dropping § 87(2)(b) off; however, PO Mallette did not respond. When § 87(2)(b) § 87(2)(b) approached the vehicle and PO Mallette completed the summonses, PO Mallette told him that he did not want to see his “fucking car.” No other officers were present for this incident. § 87(2)(b) presented two summonses issued to him on November 23, 2018, by PO Mallette; however, the summonses were related to § 87(2)(b) and not parking infractions (**Board Review 09**). Additionally, BWC obtained for PO Mallette and PO Russo on November 23, 2018, did not depict any conversation regarding § 87(2)(b) s vehicle or the occurrence of events as explained by § 87(2)(b) (**Board Review 11**) (**Board Review 12**). For these reasons, the investigation has determined that this incident did not occur on November 23, 2018.

§ 87(2)(b) did not recall this incident.

A request for all summonses issued to § 87(2)(b) or his vehicle between October 1, 2018, and December 3, 2018 (the possible incident time frame provided by § 87(2)(b)) yielded only one parking summons (**Board Review 01**) (**Board Review 13**). That summons was issued on November 26, 2019 but was not issued by PO Mallette or PO Russo.

During his CCRB statement, PO Mallette did not recall this particular incident, but acknowledged that § 87(2)(b) often has a vehicle illegally parked at the curb behind the cart he works at (**Board Review 03**). PO Mallette has never told § 87(2)(b) that he did not want to see his “fucking car” at the location. PO Mallette has issued § 87(2)(b) summonses in multiple interactions spanning through the months of October and November of 2018.

PO Russo provided a statement consistent with PO Mallette (**Board Review 04**). He has never heard PO Mallette tell § 87(2)(b) to move his “fucking car.”

§ 87(2)(g)

§ 87(2)(g)

## **Civilian and Officer CCRB Histories**

- § 87(2)(b) has been party to seven other CCRB complaints and has been named a victim in 15 allegations, 14 of which were made against PO Mallette (**Board Review 05**):
  - § 87(2)(b)
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  - 
  -
- § 87(2)(b) has been party to three other CCRB complaints and has been named a victim in two allegations (**Board Review 06**):
  - § 87(2)(b)
  - 
  -
- PO Mallette has been a member of service for four years and is a subject in eight other CCRB complaints and 28 other allegations, 24 of which were made by § 87(2)(b) and § 87(2)(b) and none of which were substantiated § 87(2)(g)

## Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of September 4, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this complaint (**Board Review 10**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

---

Squad No.:   09  

Investigator: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Squad Leader: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Reviewer: \_\_\_\_\_  
Signature                      Print Title & Name                      Date